

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

Jaemon Lee,

Plaintiff,

v.

American Homes 4 Rent, L.P., et al.,

Defendants.

Case No. 2:21-cv-01870-JAD-DJA

**Order**

Jaemon Lee sues his former employers, Boyd Gaming and American Homes 4 Rent (AH4R), alleging that AH4R fired him after Boyd breached a settlement agreement that restricts what Boyd may disclose to Lee's prospective employers by telling AH4R that Lee had filed discrimination and retaliation claims against Boyd. Lee moves to compel AH4R's compliance with a subpoena for documents, arguing that it failed to respond within the twenty-four hours the subpoena provided. (ECF No. 64). AH4R opposes the motion, arguing that Lee failed to meet and confer, discovery was stayed when Lee served the subpoenas, and the subpoenas demanded an unreasonable timeframe. (ECF No. 67). Lee did not reply. Because Lee did not meet and confer with AH4R in advance of filing his motion to compel, the Court denies the motion. The Court finds these matters properly resolved without a hearing. LR 78-1.


**I. Discussion.**

The Court denies Lee's motion because he failed to meet and confer before filing it. Under Local Rule 26-6, the Court will not consider discovery motions unless the movant: (1) has made a good-faith effort to meet and confer as defined in LR IA 1-3(f) before filing the motion; and (2) includes a declaration setting forth the details and results of the meet-and-confer conference about each disputed discovery request. Under Local Rule IA 1-3(f)(4), the failure to make a good faith meet and confer before filing any motion to which the requirement applies may

1 result in denial of the motion. LR IA 1-3(f)(4). “The local rules are not mere formalities.”  
2 *ImageKeeper LLC v. Wright National Flood Insurance Services LLC*, No. 2:20-cv-01470-GMN-  
3 VCF, 2021 WL 5234648, at \*2 (D. Nev. Oct. 7, 2021). Here, Lee failed to meet and confer  
4 before filing his motion to compel. AH4R points this out in its response, to which argument Lee  
5 fails to reply. While AH4R makes other arguments opposing Lee’s motion to compel, the Court  
6 does not address these because the failure to meet and confer is grounds enough to deny the  
7 motion.

8 **IT IS THEREFORE ORDERED** that Lee’s motion to compel (ECF No. 64)<sup>1</sup> is **denied**  
9 **without prejudice.**

10 DATED: June 9, 2022

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13 DANIEL J. ALBREGTS  
14 UNITED STATES MAGISTRATE JUDGE  
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27 <sup>1</sup> ECF No. 64 is the corrected image of ECF No. 52. As a result, ECF No. 52 is “gaveled” while  
28 ECF No. 64 is not. The Clerk of Court is kindly directed to remove the “gavel” from ECF No. 52.